

### **Remarks**

As an initial matter Applicant notes that on February 10, 2005 Applicant submitted a response to the above referenced office action that, upon subsequent review, was found to be lacking in some respects. Please consider this response instead of the prior response dated February 10, 2005 – the earlier response should be discarded.

### **Elections/Restrictions**

Thank you for withdrawing the previously required election/restriction requirement.

### **Claim Objections**

The claim 1 language including the plural “positions” has been deleted.

### **Claim Rejections – 112**

With respect to the claim 1 section 112 rejections and specifically the rejection related to the phrase “at least one support member”, Applicant has amended claim 1 so that claim 1 now requires at least first and second support members where the members are linked so that their positions are stationary with respect to each other. Nevertheless, Applicant provides the following comments regarding the original claim 1 language. In general, the claim 1 support members include supporting structure to which other relay components are mounted for support. For instance, in some cases the support members may include relay housing members such as members 12a and 12b illustrated in Fig. 3 where the support members include structure for mounting and supporting the other relay components. More specifically, see Figs. 5 and 20 that show mounting structure integrally formed with member 12b to receive and support a push arm 118. Similar mounting structure is integrally formed with member 12a for, in at least some cases, supporting an operator push button 14 (see Fig. 8), the bi-stable armature 8 (see also Fig. 8) and a first contact 87 (see Fig. 8).

While the illustrated embodiment includes first and second support members 12a and 12b for supporting the different relay components, other embodiments are contemplated wherein, for instance, all of the components may be supported by a single support member (i.e., all may be mounted to a single housing component) such as either member 12a or member 12b in the present specification.

With respect to claims 35-37, Applicant has deleted each of those claims.

With respect to the original claim 1 phrase “the at least one second contact one of opens and closes with the at least one first contact when the armature is in the first position and the other of opens and closes with the at least one first contact when the armature is in the second position”, Applicant provides the following comments. As known in the relay art, relay contacts can be either normally open (NO) or normally closed (NC). NO contacts include contacts that are open when the relay coil is not energized and that closes when the coil is energized. Similarly, NC contacts include contacts that are closed when the relay coil is not energized and that open when the coil is energized.

The original phrase “the at least one second contact... when the armature is in the second position” has been used to claim the invention in the context of either NC or NO contacts. Thus, where the second contact opens when the armature is in the first position and closes when the armature is in the second position, the contact may be a normally open contact and, where the second contact closes when the armature is in the first position and opens when the armature is in the second position, the contact may be a normally open contact. For the purposes of the claim, whether or not the second contact is open or closed with respect to the first contact when the armature is in the first position is not important. What matters for the purposes of claim 1 is that the second contact state (i.e., open or closed) with respect to the first contact changes when the armature position changes between the first and second positions.

Thus, the original claim 1 phrase meant that when the second contact is open with respect to the first contact when the armature is in the first position, the second contact is closed with respect to the first contact when the armature is in the second

position and that, when the second contact is closed with respect to the first contact when the armature is in the first position, the second contact is open with respect to the first contact when the armature is in the second position. Claim 1 has been amended to include the language here so that the claim reads more clearly. In this regard, Applicant notes that Applicant believes that this amendment to claim 1 only serves to clarify the claimed subject matter and does not limit the scope of the claim more than the original phrase.

Claim 10 has also been amended like amended claim 1 to now require at least first and second support members and to include the clearer language regarding positions of the second contact with respect to the first contact and the armature. Similarly, the preamble of claim 26 has been amended to now include the clearer language regarding positions of the second contact with respect to the first contact and the armature.

#### **Other Amendments**

Claim 9 has been amended to eliminate the "s" at the end of the claim.

Claim 19 has been amended to correct dependency – original claim 19 was dependent from itself.

#### **Claim Rejections – 103 and Allowable Subject Matter**

The Office Action indicated that each of claims 2-6, 10, 13-21, 23-25 and 28-33 would be allowed if rewritten to include the limitations of base and intervening claims. Applicant has amended claim 1 to include the limitations of original claims 1 and 2 and therefore believes claim 1 and claims that depend therefrom should be patentable over the cited references.

In addition, Applicant has amended claim 10 to include the limitations of original claims 1 and 10. Here, Applicant notes that the Examiner did not indicate that original claim 7 was patentably distinct and therefore it is the claim 10 limitations, not the intervening claim 7 limitations, that render claim 10 patentable over the cited references. Amended claim 10 does not include the limitations of

original claim 7. Applicant believes amended claim 10 is patentably distinct over the cited references.

Moreover, Applicant has amended claim 26 to include the limitations of original claims 26 and 28 and therefore believes claim 26 and claims that depend therefrom should be patentable over the cited references.

Furthermore, Applicant has cancelled original claims 2 and 28 and has amended several of the other claims that originally depended from claims 2 or 28 so that they now depend from currently pending claims.


Finally, Applicant has cancelled each of claims 34-37 and has amended claim 38 to now depend from claim 10 (instead of from cancelled claim 37).

Applicant has introduced no new matter in making the above amendments and antecedent basis exists in the specification and claims as originally filed for each amendment. In view of the above amendments and remarks, Applicant believes claims 1, 3-27, 29-33 and 38 of the present application recite patentable subject matter and allowance of the same is requested. No fee in addition to the fees already authorized in this and accompanying documentation is believed to be required to enter this amendment, however, if an additional fee is required, please charge Deposit Account No. 17-0055 in the amount of the fee.

Respectfully submitted,

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